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Attorneys for Plaintiff in Intervention
REPUBLIC WESTERN INSURANCE COMPANY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – RIVERSIDE

INTERSTATE FIRE & CASUALTY
COMPANY, an Illinois corporation,

Plaintiff,

vs.

PACIFIC EMPLOYERS INSURANCE
COMPANY, a Pennsylvania corporation,

Defendant.

AND THE RELATED COMPLAINT IN
INTERVENTION

Case No.: EDCV 06-0593 VAP (OPx)

[Hon. Virginia A. Phillips]

**NOTICE OF APPLICATION TO
THE CLERK TO TAX COSTS**

[Bill of Costs Concurrently Lodged
Herewith]

Date: February 29, 2008

Time: 10:00 a.m.

Room: 135

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Judgment in this matter was entered on
January 31, 2008 in favor of Plaintiff in Intervention Republic Western Insurance
Company ("RWIC") and against Defendant in Intervention Interstate Fire &
Casualty Company ("Interstate"). A copy of the Judgment is attached hereto as
Exhibit A and is incorporated by reference.

1 PLEASE TAKE FURTHER NOTICE that on February 29, 2008, at 10:00
2 a.m. or as soon thereafter as this matter may be heard, in Room 135 of the above-
3 entitled Court located at 3470 Twelfth Street, Riverside, California 92501, RWIC
4 will apply to the Clerk to tax costs in this matter consistent with the Bill of Costs
5 lodged concurrently herewith.

6
7 Dated: February 11, 2008

MICHELMAN & ROBINSON, LLP

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10 By: 

Barbara J. Mandell, Esq.

Lorne Lilienthal, Esq.

11 Attorneys for Plaintiff in Intervention
12 REPUBLIC WESTERN INSURANCE
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PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the office by a member of the bar of this Court in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 15760 Ventura Boulevard, Suite 500, Encino, California 91436.

On **February 12, 2008**, I served the foregoing document described as:

- 1) **NOTICE OF APPLICATION TO THE CLERK TO TAX COSTS;**
- AND**
- 2) **BILL OF COSTS**

on the interested parties in this action, by placing true copies thereof enclosed in sealed envelopes addressed to the following addressees:

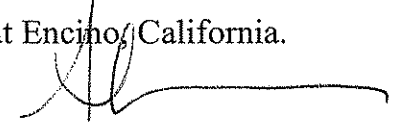
Please see the attached service list.

☒ **BY E-MAIL:** I caused the above-mentioned document to be served on the interested parties noted above by electronic email.

☒ **BY MAIL:** I caused such envelope to be deposited in the mail at Encino, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the law firm's practice of collection and processing correspondence for mailing. Under the practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Encino, California, in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if the postal cancellation date or postage meter is more than one day after the date of deposit for mailing the affidavit.

☒ **(FEDERAL)** I declare that I am employed in the offices of a member of the bar of this court at whose direction the service was made.

Executed on **February 12, 2008**, at Encino, California.



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Service List

James P. Wagoner
Todd W. Baxter
Paul J. Whitfield
McCormick, Barstow, Sheppard, Wayte & Carruth LLP
P.O. Box 28912
5 River Park Place East
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Email: james.wagoner@mccormickbarstow.com; Todd.Baxter@mccormickbarstow.com
Attorneys for Plaintiff, INTERSTATE FIRE & CASUALTY COMPANY

Exhibit A

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

INTERSTATE FIRE &
CASUALTY COMPANY, an
Illinois corporation,
Plaintiff,

v.

PACIFIC EMPLOYERS
INSURANCE COMPANY, a
Pennsylvania
corporation,
Defendants.


Case No. EDCV 06-593-
VAP(OPx)

JUDGMENT

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to the Order filed herewith, IT IS ORDERED
AND ADJUDGED that Defendant in Intervention Interstate
Fire and Casualty Company shall pay Plaintiff in
Intervention Republic Western Insurance Company \$350,000
in damages and \$52,920 in prejudgment interest. The
Court orders that such judgment be entered.

Dated: January 31, 2008


VIRGINIA A. PHILLIPS
United States District Judge